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October 27, 2021

**Via ECF**

The Honorable Paul A. Engelmayer, U.S.D.J.  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Lee v. Genesis Credit Management, et al.  
Case No. 1:20-cv-4447**

Dear Judge Engelmayer

Defendant is filing this letter motion to hold April Eli in contempt of court.

Attached is the subpoena that was served on her on October 23, 2021 (Exhibit A). The subpoena called for her to be deposed on November 3, 2021. An affidavit of service will be provided as soon as defendant obtains it from the process server but the process server confirmed service (Exhibit B)

Nevertheless, after being served with the subpoena, Ms. Eli retained counsel, Russell Lonnie Cormican, Esq. of Fort Lauderdale Florida. Despite Mr. Cormican's efforts to convince his client to appear for the deposition, Ms. Lee failed to appear for her deposition (Exhibit C).

Defendant is now seeking sanctions, including an arrest warrant, asking for Order to Show Cause as to why Ms. Eli should not be held in contempt of court and

attorney fees. Given the discovery end date of November 5, 2021 and Ms. Eli' flagrant violation of the subpoena, it is respectfully requested an expedited ruling on this motion.

Respectfully submitted,

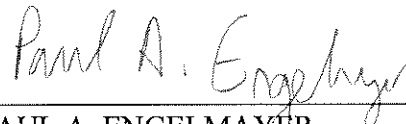


PETER CIPPARULO, III

Cc: Adam Singer, Esq.-via ECF  
Russell Cormican, Esq.-via email.

The Court directs April Eli's counsel to explain, in a sworn declaration due by **November 8, 2021**, why she did not comply with the subpoena to testify on November 3, 2021. The Court directs defendants' counsel to forward this order to Eli's counsel forthwith. Eli's counsel is to file the sworn declaration on the docket of this case, or to furnish it to defense counsel to accomplish such filing.  
SO ORDERED.

Dated: November 4, 2021



PAUL A. ENGELMAYER  
United States District Judge